

1 Kurt Ramlo (Bar No. CA 166856)  
[kurt.ramlo@dlapiper.com](mailto:kurt.ramlo@dlapiper.com)  
2 Bertrand Pan (Bar No. CA 233472)  
[bertrand.pan@dlapiper.com](mailto:bertrand.pan@dlapiper.com)  
3 Meredith Edelman (Bar No. CA 261602)  
[meredith.edelman@dlapiper.com](mailto:meredith.edelman@dlapiper.com)  
4 **DLA PIPER LLP (US)**  
5 550 South Hope Street, Suite 2300  
6 Los Angeles, CA 90071-2678  
Tel: 213.330.7700  
Fax: 213.330.7701

7 Proposed Attorneys for NexPrise, Inc., Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

|| Tax ID # 77-0465496

CASE NO. 11-00742-11

## Chapter 11

## **Notice of First Day Motions Filed By Debtor**

Date: TBD  
Time: TBD  
Ctrm: Department 2, Room 118  
325 W. F Street  
San Diego, CA 92101  
Judge: Hon. Louise D. Adler

19 TO THE HONORABLE LOUISE D. ADLER, UNITED STATES BANKRUPTCY JUDGE,  
20 SECURED CREDITORS, THE TWENTY LARGEST UNSECURED CREDITORS, AND  
21 THE UNITED STATES TRUSTEE:

22                   **PLEASE TAKE NOTICE** that NexPrise, Inc., a Delaware Corporation, debtor and  
23 debtor in possession in this case (the “Debtor”) intends to and hereby does move the Court for an  
24 order granting each and every one of the following First Day Motions, true and correct copies of  
25 each of which, along with any supporting declarations, have been duly filed and served  
26 concurrently with this Notice:

a. First Day Motion By Debtor For Order: (A) Authorizing Continued Used

1 of Debtor's Cash Management System; (B) Authorizing Maintenance of Debtor's Existing  
 2 Bank Accounts and Continued Use of its Business Forms; (C) Waiving Compliance with  
 3 11 U.S.C. § 345(b); and (D) For Other Relief;

4 b. First Day Motion By Debtor For Order (A) Prohibiting Utility Providers  
 5 From Altering, Refusing Or Discontinuing Service, (B) Deeming Utility Companies  
 6 Adequately Assured of Future Performance, and (C) Establishing Procedures For  
 7 Determining Adequate Assurance of Payment;

8 c. First Day Motion By Debtor For Order (A) Authorizing, But Not  
 9 Requiring, Payment of Pre-Petition (1) Wages, Salaries And Other Compensation, (2)  
 10 Employee Benefits, (3) Reimbursable Expenses, and (4) Related Taxes; and (B)  
 11 Authorizing and Directing Financial Institutions To Receive, Process, Honor, And Pay  
 12 All Checks Presented For Payment; and

13 d. First Day Motion By Debtor For Order Limiting Scope of Notice.

14 **PLEASE TAKE FURTHER NOTICE THAT THE ABOVE LISTED FIRST DAY**  
 15 **MOTIONS HAVE BEEN FILED IN ACCORDANCE WITH APPENDIX D1 OF THE**  
 16 **LOCAL BANKRUPTCY RULES FOR THE SOUTHERN DISTRICT OF CALIFORNIA**  
 17 **(“LOCAL BANKRUPTCY RULES”). AS REQUIRED BY APPENDIX D1 OF THE**  
 18 **LOCAL BANKRUPTCY RULES (“GUIDELINES FOR FIRST DAY MOTIONS”), ANY**  
 19 **PARTY IN INTEREST WHO OPPOSES ANY OF THESE FIRST DAY MOTIONS**  
 20 **SHALL IMMEDIATELY NOTIFY THE JUDGE’S LAW CLERK OF ITS POSITION BY**  
 21 **TELEPHONE AT (619) 557-5623. NO WRITTEN OPPOSITION SHALL BE FILED TO**  
 22 **ANY OF THESE FIRST DAY MOTIONS UNLESS THE COURT OTHERWISE**  
 23 **DIRECTS. PLEASE NOTE THAT THE FAILURE TO NOTIFY THE COURT OF**  
 24 **OPPOSITION TO ANY OF THESE FIRST DAY MOTIONS MAY BE DEEMED TO BE**  
 25 **CONSENT TO THE RELIEF REQUESTED, AND THE RELIEF MAY BE GRANTED**  
 26 **WITHOUT FURTHER NOTICE OR A HEARING.**

1 Dated: January 18, 2011

DLA PIPER LLP (US)

2 By /s/ Kurt Ramlo

3 Kurt Ramlo

4 Proposed Attorneys for NexPrise, Inc.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28